

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: ABBVIE, INC., et al.	)	
	)	
	)	Case No. 14-cv-1748
	)	
	)	<i>consolidated for coordinated pre-trial</i>
	)	<i>proceedings before:</i>
	)	Hon. Matthew F. Kennelly
_____	)	

FRANK LAU,	)	
	)	
	)	
Plaintiff,	)	
	)	Case No. 14-cv-1298
v.	)	
	)	Hon. Sara L. Ellis
ABBVIE INC., ABBOTT	)	
LABORATORIES, INC., LILLY USA,	)	
INC., and ELI LILLY AND COMPANY,	)	
	)	
Defendants.	)	
_____	)	

**DEFENDANT ELI LILLY AND COMPANY’S MOTION FOR AN EXTENSION OF  
TIME TO FILE A RESPONSIVE PLEADING**

Defendant Eli Lilly and Company (“Defendant”), through its attorneys, REED SMITH LLP, move this Court pursuant to Federal Rule of Civil Procedure 6(b) for an extension of time to file its responsive pleading to Frank Lau’s (“Plaintiff”) Complaint. In support of its Motion, Defendant states as follows:

1. Defendant was served with the Complaint on February 25, 2014, and its responsive pleading is therefore due on March 18, 2014.

2. On February 27, 2014, Plaintiff moved under Local Rule 40.4 to reassign to Honorable Judge John W. Darrah five actions pending in the Northern District of Illinois, including this action. The five actions are *Lau v. AbbVie Inc. et al.*, 14-cv-1298, *Marino v. AbbVie Inc. et al.*, 14-cv-777, *Myers v. AbbVie Inc. et al.*, 14-cv-780, *Johnson v. AbbVie Inc. et al.*, 14-cv-877, and *Kelly v. AbbVie Inc. et al.*, 14-cv-879.

3. On March 14, 2014, the Executive Committee of Northern District of Illinois ordered that this case be consolidated before Judge Kennelly with 29 other similar cases through a coordinated pretrial proceeding as provided by Internal Operating Procedure 13(e). (Docket No. 20).

4. Defendant is not a party to any of the 29 other cases.

5. In light of the consolidation, Defendant therefore requests the Court suspend the deadline to Answer or otherwise respond to Plaintiff's Complaint until such time as the Court deems appropriate to set a coordinated deadline for all the defendants.

6. Alternatively, Defendant requests an extension of twenty-eight days, to April 15, 2014, to Answer or otherwise respond to Plaintiff's Complaint.

7. This request is not made for purposes of delay.

8. Counsel for Defendant contacted counsel for Plaintiff on Friday, March 14 and again today, by both telephone and email, but counsel for Defendant has not heard back as to whether Plaintiff has any opposition to this Motion.

**WHEREFORE**, Defendant respectfully requests that the Court suspend the deadline for Defendant Eli Lilly and Company to Answer or otherwise plead or, in the alternative, grant an extension of time to file its responsive pleading to Plaintiff's Complaint on or before April 15, 2014, and award any other relief the Court deems just and proper.

Dated: March 17, 2014

Respectfully submitted,

ELI LILLY AND COMPANY

By: /s/ Timothy R. Carraher  
One of Its Attorneys

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